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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,180	03/27/2001	Michail Petropoulos	ENSY-002	3827

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EXAMINER

NGUYEN, CINDY

ART UNIT	PAPER NUMBER
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2171

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DATE MAILED: 04/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/819,180

Applicant(s)

PETROPOULOS ET AL.

Examiner

Cindy Nguyen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10-12, 18-23, 26-32 and 35-38 is/are rejected.
- 7) ☐ Claim(s) 5-9, 13-17, 24, 25, 33 and 34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

This is in response to amendments filed 08/13/04.

#### ***1. Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

#### **2. Claims 1, 2, 10, 11, 18-22, 26-32 and 35-38 rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn et al. (U.S 5897622) in view of Ramanathan et al. (U.S 6182136) (Ramanathan).**

Regarding claims 1, 10, 11, 18-22, 26-32 and 35-38, Blinn discloses: A method for constructing a query system for use with a body of data, comprising operations of:

providing a data schema describing entries in a body of data such that the entries provide instances of the data schema (col. 12, lines 58 to col. 13, lines 3, Blinn);

providing multiple appearance templates each providing instructions for computer presentation of on-screen constructs to receive user input of query parameters (col. 7, lines 5-52, Blinn);

providing multiple control schemas each control schema prescribing constituent components of query form controls providing instances of that control schema, the prescribed components of each control schema comprising: specification of at least one appearance template and at least one subquery generator (col. 12, lines 57 to col. 13, lines 45, Blinn);

providing one or more query form schemas prescribing constituent components of corresponding query form annotations that provide instances of the query form schemas (col. 19, lines 36-61, Blinn), said components comprising: identification of one or more of instances of the control schemas; identification of elements of the data schema to be presented in query results (col. 19, lines 62 to col. 20, lines 25, Blinn).

providing multiple subquery generators each comprising machine-executable code to prepare machine-executable query instructions applying a predetermined logical operation to the body of data (col. 9, lines 14-54, Blinn).

However, Blinn didn't disclose: mapping between the specified appearance template and the data schema between the specified subquery generator and the data schema. On the other hand, Ramanathan disclose: mapping between the specified appearance template and the data schema between the specified subquery generator and the data schema (col. 14, lines 39 to col. 16, lines 56, Ramanathan). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include mapping between the specified appearance template and the data schema between the specified subquery generator and the data schema in the system of Blinn as taught by Ramanathan. The motivation being to enable the the service template contains the intelligence to map the discovered instance into the service model nodes (col. 14, lines 39-59, Ramanathan).

In addition, Blinn/ Ramanathan discloses: a compiler to create web browser compatible representations of the query form annotation (col. 10, lines 43 to col. 11, lines 35, Blinn);

A run-time engine comprising an assembler to construct queries against the data schema according to query parameters submitted by user completion of the web-browser compatible

representations (col. 12, lines 35-56, Blinn) and a rendering engine to provide web browser compatible output of query results (col. 19, lines 16-35, Blinn).

Regarding claim 2, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, Blinn/ Ramanathan discloses: wherein the control schemas are separate from the query form schemas (col. 12, lines 57 to col. 13, lines 3, Blinn).

**3. Claims 3, 4, 12 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blinn et al. (U.S 5897622) in view of Ramanathan et al. (U.S 6182136) (Ramanathan) and further in view of Katz et al. (U.S 5404295) (Katz).**

Regarding claims 3 and 12, most of the limitations of these claims have been noted in the rejection of claims 1 and 11 above, respectively. In addition, Blinn/ Ramanathan discloses: further comprising operations of developing the query system, comprising: constructing one or more controls, each control comprising an instance of one of the control schemas (col. 18, lines 25-48, Blinn);

However, Blinn/ Ramanathan didn't disclose: constructing one or more query form annotations, each annotation comprising an instance of one of the query form schemas. On the other hand, Katz disclose: constructing one or more query form annotations, each annotation comprising an instance of one of the query form schemas (col. 5, lines 61 to col. 6, lines 14, Katz). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include constructing query form annotations as claimed in the combination system of Blinn/ Ramanathan as taught by Katz. The motivation being to enable the users have the option to select and design the query form.

Art Unit: 2171

Regarding claims 4 and 23, most of the limitations of these claims have been noted in the rejection of claims 3 and 22 above, respectively. In addition, Blinn/ Ramanathan /Katz discloses: wherein the control schemas are integrated into the query form schemas (col. 13, lines 46 to col. 14, lines 15, Blinn), and the operations of constructing the query form annotations includes the operation of constructing the controls (col. 6, lines 49-62, Katz).

#### **4. *Allowable Subject Matter***

Claims 5-9, 13-17, 24, 25, 33 and 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: a method and system for constructing a query system for use with a body of data comprising operations of compiling the query form annotation, comprising for each query form annotation in association with the constructed query form web page, initializing the subquery generators specified by the controls identified by said query form annotation as recited in claims 5, 13, 24, and 33.

Regarding claims 6-9, 14-17, 25 and 34, these claims depend from claims 5, 13, 24 and 33 respectively and are therefore allowable.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1-4,10-12,18-23,26-32 and 35-38 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2171

## **5. Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rauer et al. (U.S 6161103). Method and apparatus for creating aggregates for use in a datamart.

Blinn et al. (U.S 6484150). Electronic shopping and merchandising system accessing legacy data in a database independent schema manner.

## **6. Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*CN*

Cindy Nguyen  
April 10, 2004

*Wayne*  
WAYNE AMSBURY  
PRIMARY PATENT EXAMINER